

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO <i>ex rel.</i>)	
State Engineer,)	
)	
Plaintiff,)	69cv07941-MV/LFG
)	
vs.)	RIO CHAMA STREAM SYSTEM
)	Section 7, Village of Chama
ROMAN ARAGON, <i>et al.</i> ,)	
)	
Defendants.)	Subfile No.: CHCV-001-0005

**CHAMA VALLEY INDEPENDENT SCHOOL DISTRICT NO. 19'S RESPONSE IN
OPPOSITION TO STATE'S MOTION TO REVISE CONSENT ORDER**

COMES NOW Chama Valley Independent School District No. 19, by and through Cuddy & McCarthy, LLP, and opposes the State's Motion to Revise Consent Order Describing the Water Rights of the Chama Valley Independent School District No. 19 in Subfile CHCV-001-0005 for the following reasons:

1. The only ground provided for the State's Motion in ¶ 1 is that "the better description of this section of the ditch is the Chama Town Ditch". The State does not support this assertion by citing to any documents showing that the name of the ditch from which the School District diverts its water is now or has previously been known as the Chama Town Ditch.
2. The State does not propose to change the X and Y designation of the location of the point of diversion of the School District's water right, so it is unclear why any change in the name of the ditch is necessary.
3. The School District has always known the ditch from which it diverts its water as the M-B Ditch. The School District is a member of the M-B Ditch, pays dues to the M-B Ditch and deals with the Commissioners and Mayordomo of the M-B Ditch with respect

to the District's water right.

4. The School District is not aware of the existence of any organized entity known as the Chama Town Ditch.

For the foregoing reasons, the State has not shown that any revision to the Consent Order is necessary and the State's Motion should be denied.

CUDDY & McCARTHY, LLP

By: Electronically Filed 05/15/13
REBECCA DEMPSEY
Attorneys for Chama Valley Independent School
Post Office Box 4160
Santa Fe, New Mexico 87502-4160
(505) 988-4476
(866) 679-4476 (toll free)
(505) 954-7373 (Fax)

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of May 2013, a true and correct copy of the foregoing *CHAMA VALLEY INDEPENDENT SCHOOL DISTRICT NO. 19'S RESPONSE IN OPPOSITION TO STATE'S MOTION TO REVISE CONSENT ORDER* was electronically filed through the CM/ECF filing system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail.

/s/ Rebecca Dempsey
REBECCA DEMPSEY